



CWP-18805-2020

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262 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-18805-2020
Date of decision: 19.11.2024

ANIL MEHTA ...PETITIONER
VERSUS
STATE OF PUNJAB AND ORS. ...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr.T.N.Sarup, Advocate for the petitioner.

Ms. Saguna Arora, AAG, Punjab.

Mr. T.S.Sidhu, Advocate for respondent No.4.

NAMIT KUMAR, J. (ORAL)

1. The instant petition has been filed by the petitioner under Articles 226/227 of the Constitution of India, seeking a writ in the nature of mandamus, directing the respondents to release the pension of the petitioner, along with interest @ 18% per annum from the date of retirement.
2. The petitioner retired from service on attaining the age of superannuation on 31.03.2020.
3. In the additional affidavit filed by the Executive Officer, Municipal Council, Dinanagar, it has been stated as under:-

1. xxx xxx xxx xxx

2. That the petitioner retired from the post of Executive Officer, Municipal Council, Dinanagar on 31.03.2020. It is pertinent to mention here that at the time of his retirement, complete lockdown was imposed throughout country due to Covid-19 pandemic.

3. That the petitioner has received all his retiral benefits i.e. leave encashment of Rs.7,13,750/- on 31.03.2020, payment of gratuity of Rs.7,82,380/- on 31.03.2020 and Rs.93,876/- as PF on 20.04.2020. In this way, the petitioner received all his retiral benefits immediately and now nothing is due from the office of the



deponent.

4. *That at the time of retirement pension was granted to the petitioner after approval from the competent authority i.e. The Deputy Director, Urban Local Bodies, Amritsar. However, now the powers are vested with Additional Deputy Commissioner, General (Amritsar). The office of the deponent does not grant or release pension.*

5. *That as per information received, the arrears of pension amounting to Rs.2,97,750/- for the period from 01.04.2020 to 31.01.2021 has already been paid to the petitioner along with pension on February, 2021. The delay of few months in releasing the pension had occurred due to nationwide lockdown imposed due to Covid-19 pandemic situation. Now nothing is due to the petitioner."*

4. In nutshell, the stand taken by the Municipal Council, Dinanagar is that payment of gratuity and leave encashment was released to the petitioner on the date of retirement and provident fund was released within 20 days from the date of retirement and arrears of pension w.e.f 01.04.2020 to 31.01.2021 have been released in February, 2021 and the delay of few months in releasing the said arrears had occurred due to nationwide lockdown imposed due to Covid-19 pandemic situation.

5. Since, all the retiral dues of the petitioner have been released and there is no unreasonable delay in releasing the same, the instant petition has been rendered infructuous.

6. Disposed of as having become infructuous.

19.11.2024

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(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No